

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANIEL E. CARPENTER,

Plaintiff,

V.

No. 05-cv-11012-MEL

UNITED STATES DEPARTMENT OF
JUSTICE and THE UNITED STATES
ATTORNEY FOR THE DISTRICT OF
MASSACHUSETTS,

Defendants.

PLAINTIFF’S CERTIFICATION RE: TRANSCRIPTS
AND STATEMENT OF ISSUES ON APPEAL

Plaintiff-appellant Daniel E. Carpenter, by and through undersigned counsel, hereby submits notice pursuant to Fed. R. App. P. 10(b)(1)(B) that no transcripts will be ordered and that he has today filed and served on the defendants-appellees the Transcript Report annexed hereto as **Exhibit 1**.

Pursuant to Fed. R. App. P. 10(b)(3)(A), plaintiff-appellant herewith files his statement of issues on appeal:

- 1) Whether the district court erred in granting defendants' motion for summary judgment and denying plaintiff's motion for summary judgment?

Dated: March 3, 2006

Respectfully submitted,

DANIEL E. CARPENTER,
By his attorney,

/s/ Jack E. Robinson
Jack E. Robinson, Esq.
(BBO #559683)
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Court's CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent on the date hereof to those indicated as non-registered participants as listed below:

Steve Frank, Esq.
U.S. Department of Justice
Civil Division, Appellate Staff
Room 7245 MAIN
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Steve.Frank@usdoj.gov

/s/ Jack E. Robinson
Jack E. Robinson, Esq.

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Case name Daniel Carpenter v. U.S. Dept. of Justice, et al.District Court Case No. 05-cv-11012 District of MassachusettsDate Notice of Appeal filed 2/10/06 Court of Appeals Case No. _____Form filed on behalf of Plaintiff-appellant Daniel E. Carpenter

TRANSCRIPT REPORT

Transcript Not Necessary for this Appeal XX

Transcript Already Filed in District Court. List each transcript by docket entry number and date and type of proceeding (attach separate page if necessary) _____

TRANSCRIPT ORDER

Name of Court Reporter _____

Phone Number of Reporter _____

A. _____ **This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate dates of hearing(s)]:**

PROCEEDING(S)

HEARING DATE(S)

- | | |
|---|-------|
| <input type="checkbox"/> Jury Voir dire | _____ |
| <input type="checkbox"/> Opening Statement (plaintiff) | _____ |
| <input type="checkbox"/> Opening Statement (defendant) | _____ |
| <input type="checkbox"/> Trial | _____ |
| <input type="checkbox"/> Closing Argument (plaintiff) | _____ |
| <input type="checkbox"/> Closing Argument (defendant) | _____ |
| <input type="checkbox"/> Findings of Fact/Conclusions of Law | _____ |
| <input type="checkbox"/> Jury Instructions | _____ |
| <input type="checkbox"/> Change of Plea | _____ |
| <input type="checkbox"/> Sentencing | _____ |
| <input type="checkbox"/> Bail hearing | _____ |
| <input type="checkbox"/> Pretrial proceedings (specify) _____ | _____ |
| <input type="checkbox"/> Testimony (specify) _____ | _____ |
| <input type="checkbox"/> Other (specify) _____ | _____ |

NOTE: Failure to specify in adequate detail those proceedings to be transcribed may lead to the rejection of this form and the dismissal of the appeal.

B. _____ **I certify that I have contacted the court reporter and the following financial arrangements for payment of the transcript have been made:**

- ☐ Private funds.
- ☐ Government expense (civil case). IFP has been granted and a motion for transcript at government expense has been allowed. (Attach a copy of the order to each copy of this order form.)
- ☐ Criminal Justice Act. A CJA Form 24 has been approved by the district court judge.
- ☐ Criminal Justice Act. A CJA Form 24 is attached for authorization by the court of appeals.
- ☐ Federal Public Defender/Government Counsel - no CJA Form 24 necessary.

Filer's name Jack E. RobinsonFiler's Signature Firm/Address 2187 Atlantic Street, Stamford, CT 06902Telephone number (203) 425-4500Date mailed to court reporter N/A

(Court Reporter Use ONLY) Date received _____